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Federal Judiciary
COURT OF JUSTICE OF THE FEDERAL DISTRICT AND TERRITORIES

2VARVETBSB
2nd Court of Enforcement of Extrajudicial Titles of Brasília

Case number: 0023458-18.2016.8.07.0001 Judicial
class: EXECUTION OF EXTRAJUDICIAL TITLE (159)
PLAINTIFF: AUTOTRAC COMERCIO E TELECOMUNICACOES S/A
EXECUTED: KARL ALEXANDER NEUMANN

INTERLOCUTORY DECISION

Joint Ordinance 73/2010 was issued with the purpose of facilitating the procedural management of civil executions and offering the creditor a legally secure alternative in cases where the impossibility of the regular continuation of the process is evident due to the inability to locate the debtor or assets subject to seizure.

The archiving process described in the aforementioned administrative act generates important statistical results and constitutes an effective instrument for judicial administration and process management, given the volume of cases. It should be noted, however, that it does not actually lead to the termination of the process, since the execution proceedings may be resumed at any time through a simple request from the plaintiff demonstrating the practical viability of continuing the enforcement actions.

However, this provision should not be applied to electronic judicial proceedings, since these files are located on virtual platforms and allow for easier access, simultaneous viewing, faster processing, reduced costs and environmental benefits, providing improvements in court management, and therefore there is no need to issue a credit certificate.

Therefore, based on these grounds, I deny the issuance of a credit certificate.

After unsuccessful attempts to locate attachable assets, the proceedings remained suspended for one year, pursuant to Article 921, item III, of the Code of Civil Procedure. During this period, the party failed to demonstrate any change in the defendant's assets.

Therefore, based on article 921, § 2, I order the case file to be archived, without being removed from the distribution list.

The creditor reserves the right to unarchive the case files when they can effectively indicate assets for seizure to satisfy the debt, or the debtor may, at any time, unarchive the case files for any requests they deem appropriate, provided they are legally justified.

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Remember that, according to article 921, § 4 of the CPC/15, the statute of limitations for intercurrent prescription... It began after the one-year suspension period had expired. It should be noted that, having already been Due diligence was carried out using systems available to the court (BACENJUD, RENAJUD and INFOSEG), no Requests to repeat these procedures will be accepted without the plaintiff having to demonstrate that... modification of the debtor's economic situation. (Resp. 1.284.587 - SP. Min. Massami Uyeda, DJe 29/02/12). And in this respect, it is appropriate to quote an excerpt from a STJ ruling, reported by Minister Herman Benjamin, to the effect that "...reiteration of the diligence It must adhere to the criterion of reasonableness. The Judiciary is not obligated to, on a daily basis, "consult the aforementioned computerized program..." (REsp. 1199967/MG, DJe 12/06/2012).

Without prejudice to other provisions, and considering the digitization of the present In accordance with Joint Ordinance No. 2 of January 24, 2018, the following parties are hereby notified: parties to request at the court clerk's office the withdrawal of the procedural documents filed by them in the physical files, within 45 (forty-five) days.

During the aforementioned period, the parties must appear in person at the Clerk's Office and to request the removal of any documents they deem necessary.

After the lapse of 45 (forty-five) days, the physical files will be forwarded. to the department responsible for its disposal (DESTRUCTION).

I hereby advise that, pursuant to Article 10, §1, of the aforementioned Ordinance, as well as pursuant to the terms of Article 14 of Resolution 185, of December 18, 2013, of the National Council of Justice, as parts of the physical case files removed by the " should be preserved by the holder until transit in the judgment of the sentence, preclusion of the final decision, or the filing of a rescissory action. when admitted, the end of deadline for the

BRASILIA, DF, April 26, 2019 16:20:42.

CARLOS FERNANDO FECCHIO DOS SANTOS

Substitute Judge

Electronically signed by: CARLOS FERNANDO FECCHIO DOS SANTOS
29/04/2019 09:49:29
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